

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

TIMOTHY RAY BLAND,

Defendant.

CASE NO. CR08-034 RAJ

DETENTION ORDER

Offense charged:

Conspiracy to Distribute Oxycodone

Date of Detention Hearing: 05/29/08

The court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of any other person and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- (1) There is probable cause to believe defendant committed the drug offense charged in this case. The maximum penalty for this offense is in excess of ten years. There is therefore a rebuttable presumption against defendant as to both dangerousness and flight risk, under 18 U.S.C. § 3142(e).
- (2) Nothing in the record effectively rebuts that presumption.
- (3) Defendant is serving a lengthy state court sentence. The issue of detention or release in this case is therefore moot.
- (4) Defendant and his counsel offered no opposition to the entry of an order of detention.

It is therefore ORDERED:

- (1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- (2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;
- (3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

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(4) The clerk shall direct copies of this order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 29th day of May, 2008.



JOHN L. WEINBERG
United States Magistrate Judge